

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

Senate Bill 87

BY SENATOR YOST

[Introduced January 13, 2016;

Referred to the Committee on Health and Human

Resources; and then to the Committee on the

Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §9-5-24, relating to requiring Department of Health and Human Resources
 3 review rates paid to health care providers.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §9-5-24, to read as follows:

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-24. Review and adjustment of rates paid to care providers.

3 (a) The Department of Health and Human Resources shall perform a review of rates it
 4 pays to health care providers and the rates its managed care contractors pay to health care
 5 providers. The reviews shall be undertaken every two years. In doing the reviews the department
 6 shall determine the cost to the provider type for providing health care services on behalf of the
 7 department or the managed care contractor in comparison to the amounts paid.

8 (b) The results of the rate review in subsection (a) of this section may not compel an
 9 increase in the health care rates paid but shall be used by the department to determine if the
 10 current rates are adequate to assure access to health care services provided under the Medicaid
 11 program.

12 (c) The department shall provide copies of the rate review findings and work papers to the
 13 Joint Committee on Government and Finance within thirty days of completing the review and at
 14 the same time publically post the reports and work papers on its website.

15 (d) The department shall provide the Joint Committee on Government and Finance a
 16 schedule of when various rate reviews by provider and service type will be performed within thirty
 17 days of the effective date of this section. The schedule shall be updated and resubmitted every
 18 year after that.

19 (e) If the department does not comply with this section the Joint Committee on
 20 Government and Finance may conduct an independent rate review on its own and the Department

21 of Health and Human Resources and its managed care contractors shall fully cooperate. The
22 department shall reimburse the Joint Committee on Government and Finance for all expenses
23 and costs incurred in conducting the review. The findings and work papers shall be posted on
24 the legislative website, if the review is conducted by the Joint Committee on Government and
25 Finance.

NOTE: The purpose of this bill is to require the Department of Health and Human Resources to review rates it pays to care providers.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.